

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2017-332-E**

IN RE:)	
Southern Current LLC; Cypress Creek)	
Renewables, LLC; and Birdseye Renewable)	
Energy, LLC,)	
)	
)	
Petitioners,)	MOTION TO MAINTAIN STATUS QUO, AS OF OCTOBER 27, 2017
)	
v.)	
)	
Duke Energy Carolinas, LLC and)	
Duke Energy Progress, LLC,)	
)	
Respondents.)	
)	
)	

INTRODUCTION

The above-referenced Petitioners, hereby move the Public Service Commission of South Carolina (“Commission”), to maintain the status quo between Petitioners and Respondents, as of the filing date of Petitioners’ Petition, October 27, 2017.

MOTION TO MAINTAIN STATUS QUO

Movants move this Commission to maintain the status quo, between the Petitioners and Respondent Duke, as of October 27, 2017. The Petitioners in this Docket and representatives of the South Carolina Office of Regulatory Staff, have been informed that Duke intends to apply new Study Guidelines (“screens” for solar projects), effective November 1, 2017. And further that Duke intends to apply the new Study Guidelines, **retroactively**, Duke’s proposed action will negatively affect approximately thirty solar projects with an estimated economic value of over \$200 million.

Movants reference Petitioners' Petition filed in this matter, for more details of a plan by Duke to apply the proposed new Study Guidelines retroactively, which will prevent the development of long-standing projects under development by Petitioners and others, with the impact described hereinabove. The grounds for this Motion are that the Petitioners contend that this retroactive application is unreasonable and unfair and that the new Study Guidelines lack technical justification and are being utilized by Duke to "purge" or eliminate Duke's queue backlog. Respondents proposed new study guidelines, are not offered in good-faith and are violative of the specific Commission Order No. 85-347, dated August 2, 1985, Docket No. 80-251-E.

Petitioners request that the Status Quo be maintained until Petitioners' Petition is finally decided on the merits, by this Commission. Petitioners, in their Petition, allege that the Respondents are acting in bad-faith by imposing arbitrary, unsupported and retroactive new study guidelines.

WHEREFORE, the Petitioners, based on the foregoing, move to maintain the status quo, between the Petitioners and Duke, as of October 27, 2017. Namely, a delay in implementation of the proposed new study guidelines, until this Commission reviews this matter, on its merits. The above-referenced Petitioners respectfully request that the relief sought in this Motion be granted.

This 3rd day of November, 2017.

Respectfully Submitted,

/s/

Richard L. Whitt,
RLWhitt@AustinRogersPA.com
AUSTIN & ROGERS, P.A.,
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442
Attorney for the Petitioners.

November 3, 2017
Columbia, South Carolina